EXHIBIT "D"

Dockets.Justia.com

AO 440 (Rev. 10/93) Summons in a Civil Action **RETURN OF SERVICE**

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT, ATTACHMENTS**
EFFECTED (1) BY ME: **PAUL SANTANGELO**
TITLE: **PROCESS SERVER** DATE: **02/08/2006 02:25PM**

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

[✓] Served personally upon the defendant:

DOUBLEDAY

Place where served:

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

VICKI MODIANO

Relationship to defendant: ASS. TO KATHERINE TRACER, GENERAL COUNSEL

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'0"-5'3" WEIGHT: 100-130 LBS. SKIN: WHITE HAIR: BROWN OTHER: GLASSES

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL $ _____.___ SERVICES $ _____.___ TOTAL $ _____.___

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 02 / 08 / 2006

L.S.
SIGNATURE OF PAUL SANTANGELO
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

02/08/06

PATRICIA LONGSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb. 9, 2006

ATTORNEY: EVAN J. SMITH, ESQ.
PLAINTIFF: MICHELE SNOW
DEFENDANT: DOUBLEDAY, ET AL
VENUE: DISTRIC OF NY
DOCKET: 06 CV 669

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

SP

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT, ATTACHMENTS**
EFFECTED (1) BY ME: **PAUL SANTANGELO**
TITLE: **PROCESS SERVER**

DATE: **02/08/2006 02:25PM**

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

[✓] Served personally upon the defendant:

RANDOM HOUSE, INC.

Place where served:

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

VICKI MODIANO

Relationship to defendant: ASS. TO KATHERINE TRACER, GENERAL COUNSEL

Description of person accepting service:

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2009 MORRIS AVENUE
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ATTORNEY: EVAN J. SMITH, ESQ.
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EFFECTED (1) BY ME: **PAUL SANTANGELO**
TITLE: **PROCESS SERVER** DATE: **02/08/2006 02:25PM**

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

[ ] Served personally upon the defendant:

ANCHOR BOOKS, A DIVISION OF RANDOM HOUSE, INC.

Place where served:

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

VICKI MODIANO

Relationship to defendant: ASS. TO KATHERINE TRACER, GENERAL COUNSEL

Description of person accepting service:

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DATE: 02 / 08 / 2006

________________ L.S.
SIGNATURE OF PAUL SANTANGELO
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: EVAN J. SMITH, ESQ.
PLAINTIFF: MICHELE SNOW
DEFENDANT: DOUBLEDAY, ET AL
VENUE: DISTRIC OF NY
DOCKET: 06 CV 669

02/08/06

PATRICIA LONGSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb. 8, 2008

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AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

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EFFECTED (1) BY ME: **PAUL SANTANGELO**
TITLE: **PROCESS SERVER**

DATE: **02/08/2006 02:25PM**

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

[✓] Served personally upon the defendant:

BANTAM DOUBLEDAY DELL PUBLISHING GROUP

Place where served:

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

VICKI MODIANO

Relationship to defendant: ASS. TO KATHERINE TRACER, GENERAL COUNSEL

Description of person accepting service:

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2009 MORRIS AVENUE
UNION, NJ 07083

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DEFENDANT: DOUBLEDAY, ET AL
VENUE: DISTRIC OF NY
DOCKET: 06 CV 669

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SP

RECEIVED
APR 03 2006
U.S.D.C. S.D. N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHELE SNOW, Individually and on Behalf of All Others Similarly Situated Plaintiff, v. DOUBLEDAY, A DIVISION OF RANDOM HOUSE, INC.; BANTAM DOUBLEDAY DELL PUBLISHING GROUP; RANDOM HOUSE, INC.; ANCHOR BOOKS, A DIVISION OF RANDOM HOUSE, INC.; JAMES FREY Defendants.	Case No. 06-CV-669 **CLASS ACTION COMPLAINT** **JURY TRIAL DEMANDED**

WAIVER OF FORMAL SERVICE
PURSUANT TO F.R.C.P. 4(d).

TO: Evan J. Smith, Esquire
Two Bala Plaza, Suite 602
Bala Cynwyd, PA 19004

I acknowledge receipt of your request that I waive service of a summons in the above-captioned matter. I have also received a copy of the Complaint in the action, two copies of this instrument, and a means by which I can return this signed waiver without costs to me.

I agree to save the cost of service of a summons and an additional copy of the Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all my defenses or objections to the lawsuit or to the jurisdiction or venue of the Court, except for objections based upon a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me if an answer or motion under Rule 12 is not served upon you and filed with the Court within sixty (60) days after the date this notice was sent (see typed date below).

Date: March 2, 2006

Signature of Defendant
JAMES FREY or his attorney

2120 - Served
2220 - Not Served
2320 - Served By Mail
2420 - Served By Publication
SUMMONS

2121 - Served
2221 - Not Served
2321 - Served By Mail
2421 - Served By Publication
ALIAS - SUMMONS

(Rev.1/2/01) CCG 0001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

(Name all parties)

MARCIA VEDRAL, individually and on behalf of all others similarly situated,

Plaintiff

v.

JAMES FREY, DOUBLEDAY & COMPANY, INC., ALFRED A. KNOPF, INC. d/b/a ANCHOR BOOKS and RANDOM HOUSE, INC.,

Defendants.

No. 06 CH 02002

PLEASE SERVE:

Doubleday & Company, Inc.
c/o Jacqueline Chasey, Esq.
Bertelsmann, Inc.
1540 Broadway
New York, NY 10036

ALIAS SUMMONS

To each defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the office of the Clerk of this Court at the following location:

☒ Richard J. Daley Center, 50 W. Washington, Room 802, Chicago, Illinois 60602

☐ District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077

☐ District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008

☐ District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153

☐ District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455

☐ District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60426

You must file within 30 days after service of this summons, not counting the day of service.
IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

Atty. No.: 22873
Name: Larry D. Drury, Ltd.
Atty. for: Plaintiff
Address: 205 West Randolph, Suite 1430
City/State/Zip: Chicago, IL 60606
Telephone: 312/346-7950

WITNESS, February 9, 2006

Clerk of Court

Date of service: 2-15-06
(To be inserted by officer on copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: ____________
(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS